

**GARY TSIRELMAN, P.C.**

ATTORNEYS AND COUNSELORS AT LAW

Writer's Ext: 105  
Writer's email: gtsirelman@gtmdjd.com

65 JAY STREET, THIRD FLOOR  
BROOKLYN, NY 11201  
718.438-1200  
FAX: 718.438-8883 (NOT FOR SERVICE)  
EMAIL: GTSIRELMAN@GTMDJD.COM

VIAECF  
The Honorable Fredric Block  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Government Employees Ins. Co., et. al. v. Razzakova, et al.  
REQUEST FOR CLARIFICATION OF THE DUE DATE TO RESPOND TO THE COMPLAINT  
AND TO FILE A MOTION TO VACATE DEFAULT  
11- CV-3247

Defendants represented by the undersigned:  
Nelly Razzakova, L. Ac., Karina Kolomiytsev, L. Ac.,  
Lyubov Kondranina, L.Ac., Karina K Acupuncture P.C.,  
New Century Acupuncture P.C., Ada Kulagina, L.Ac.,  
SML Acupuncture P.C., Easy Care Acupuncture P.C.,  
Roman Shimunov, L.Ac., Bronx Acupuncture Therapy  
P.C., Alpha Acupuncture P.C., Shirom Acupuncture P.C.,  
Igor Shkapenyuk, L.Ac., TC Acupuncture P.C., Ellina  
Matskina, L.Ac., NR Acupuncture P.C., Healthy Way  
Acupuncture P.C., Bay Needle Acupuncture P.C., Dmitry  
Zapolsky, L.Ac., Acupuncture Approach P.C., Tatyana  
Kapustina, L.Ac., Perfect Point Acupuncture P.C.,  
Natalya Kornilova, L.Ac., Lotus Acupuncture P.C.,  
Acuhealth Acupuncture P.C., Yury Tsukanov, L.Ac.,  
Sunrise Acupuncture P.C. , Silver Lotus Acupuncture  
P.C., Ilona Abitol, L.Ac., and Urban Wellness  
Acupuncture, P.C.

Dear Judge Block:

The above referenced Defendants, by their counsel Gary Tsirelman P.C., respectfully request clarification as to their due date to respond to the complaint in this action.

On or about August 25, 2011 the Clerk of the Court filed a Certificate of Default (Document #54, #63) against the Defendants Ilona Abitol, L.Ac., Ada Kulagina, L.Ac. and their respective professional corporations ("Defaulted Defendants"). This was prior to our Notice of Appearance (Document #81) in the matter, which was filed for the Defaulted Defendants on August 26, 2011.

Since these occurrences there have been various events that have caused some ambiguity in our understanding of the due date to respond to the complaint because of the following: On August 29, 2011, Mr. Wesley Mead of this office respectfully requested an extension of time until September 30, 2011 to file an answer or move to dismiss (Document #82), for all Defendants named above (and to move to vacate the default for the Defaulted Defendants). This request was granted, and the time to answer or to file a motion to dismiss is due to expire on September 30, 2011. In addition, the Defaulted Defendants would like to move to vacate the Default, as the Plaintiffs have refused to agree to vacate the default of the Defaulted Defendants. However, Your Honor, on September 21, 2011, has stated in the minute entry to "hold off on any motion practice". The undersigned respectfully requests clarification as to whether the undersigned should hold off on a motion to vacate the default of the Defaulted Defendants and whether the time to answer or move to dismiss the complaint by the remaining Defendants has been extended from September 30, 2011 to the date of the next pre-motion conference.

Thank you for your attention to this matter.

Dated: September 29, 2011

Respectfully,

/s/  
Gary Tsirelman

cc: All Counsel (via ECF filing)